

APPROVED: MEETING NO. 22-84

ATTEST: *Helen M. Hovsepian*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 20-84

June 11, 1984

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, at 8:00 p.m. on Monday, June 11, 1984.

PRESENT

Mayor John R. Freeland

Councilman Steve Abrams

Councilman Douglas Duncan

Councilwoman Viola Hovsepian

Councilman John Tyner, II

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Attorney Paul Glasgow;
Secretary to the City Clerk Patricia Rager.

Re: City Manager's Report

Mr. Blick reported the following:

1. The contractor has completed the conversion of 236 UG street lights.
This was Bid No. 42-84.
2. The West Ritchie Parkway street lights are almost completed.
3. The Monroe and Fleet Street light is now operating.
4. The traffic signal at Route 355 and North Campus Drive is scheduled to be activated June 11.

Re: Proclamation:
Amateur Radio Week

Proclamation No. 10-84

There being no objection from the Council, Mayor Freeland proceeded to

issue Proclamation No. 10-84 proclaiming the week of June 18-24 as Amateur Radio Week in the City of Rockville. Councilman Tyner read the proclamation at the request of the Mayor in which it was urged that all citizens support the efforts of the amateur radio operators of the City.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. D.D. Hutchinson, re thank you from Canadian scouts
2. Darius Brown, re Student Government Days
3. Peter Hartogensis, re resignation from Board of Appeals
4. Delegate Boergers, re Maryland Rt. 28
Delegate Robertson, re Maryland Rt. 28
5. Human Rights Commission re budget requests
6. Lewis Dale, re resignation
7. Peerless Rockville, re Historic District Commission recommendations

Re: Information Items

1. Letter from Twinbrook Baptist Church re L & I violations
2. Memo from PIO re NOSOTROS
3. Information on gas station signs

Councilwoman Hovsepian asked if the problem with the gas station signs is because it does not conform to size. Mr. Horne explained the problem is with the portable signs; they cannot be used. Mayor Freeland said that there are a number of signs posted around the City next to the curb that are temporary. He noted at least one on North Washington Street and asked if the staff could check around the City.

4. Memo re Bus Stop on Twinbrook Parkway
5. Survey of County Volunteer Program
6. Letter accepting proposal from Corporation for Urban Mobility
7. Third Quarter Expenditure Report

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council:

1. Sally Potts, a GBS employee. Ms. Potts addressed the Mayor and Council and presented to them a petition asking the City to take action on a dangerous situation that exists resulting from construction at the Mall. She explained how people who park in the Mall parking lot must walk down an isolated pathway that she feels is very dangerous and frightening. Women are afraid to walk there late at night or early in the morning. She again reiterated her request for the Council to take some kind of action and urged for added protection. Mayor Freeland asked that the staff quickly touch base with the people at GBS and come up with some alternatives. It may be that assistance will be needed from the GBS people. He asked the City Manager to further explore the situation and move as quickly as possible. He feels there is a need to look into video monitors as brought up by petitioners. He suggested perhaps checking with Tribune United. The City Manager said it is his feeling that this is a perceptual problem and is not dangerous. However, if people feel it is dangerous, he will check out and get some assistance. If he felt it was dangerous he would do something to change it. Mayor Freeland asked the staff to check into this problem and to get back to the people at GBS by the end of the week.

Re: Adoption of
Ordinance: To amend
Section 7-2.17 of
Chapter 7, entitled
Water and Utilities,
to amend the sewer
usage charge

Ordinance No. 22-84

On motion of Councilman Duncan, duly seconded and unanimously passed,
Ordinance No. 22-84, the full text of which can be found in Ordinance Book No.

12 of the Mayor and Council amending the sewer usage charge, was approved by the Mayor and Council.

Mayor Freeland noted that next year's budget should reflect a new rate in sewer usage consumption charge due to a new system the City will be implementing.

Re: Adoption of
Resolution: To
establish service
charge rate for
municipal refuse
collection and
disposal - 7/1/85

Resolution No. 23-84

On motion of Councilman Tyner, duly seconded and unanimously passed, Resolution No. 23-84, the full text of which can be found in Resolution Book No. 8 of the Mayor and Council establishing a service charge rate for municipal refuse collection and disposal was adopted by the Mayor and Council.

Re: Presentation by
County Executive
Charles Gilchrist of
Proclamation to
"Honor America"

Mr. Charles Gilchrist, County Executive for Montgomery County, addressed and presented to the Mayor and Council a proclamation issued by Montgomery County, proclaiming the 21 days from Flag Day, June 14, through Independence Day, July 4, as a special period to pay homage to our country. He urged the citizens of Montgomery County to help strengthen the foundation of America by taking an active role in meeting community problems and encouraging the display of the American Flag.

The Mayor thanked Mr. Gilchrist for coming and speaking before the Council this evening.

Meeting No. 20-84

-5-

June 11, 1984

Re: Introduction of
Ordinance: To grant
Map Amendment Appli-
cation, M-38-84,
Michael J. Friedman,
Applicant, 206 Monroe
Street, to Transi-
tional Office Zone

On motion of Councilman Duncan there was introduced upon the table an ordinance to grant Map Amendment Application, M-38-84, Michael J. Friedman, applicant, for the rezoning of the property at 206 Monroe Street, said ordinance to lay over at least one week before final action is taken.

Re: Introduction of
Ordinance: To grant
Map Amendment Appli-
cation, M-39-84,
Michael J. Friedman,
Applicant, 204 Monroe
Street to Transi-
tional Office Zone

On motion of Councilman Duncan there was introduced upon the table an ordinance to grant Map Amendment Application, M-39-84, Michael J. Friedman, applicant, for the rezoning of the property at 204 Monroe Street, said ordinance to lay over at least one week before final action is taken.

Re: Adoption of
Ordinance: To amend
Section 11-1.02a of
Chapter 11, entitled
Traffic, Vehicles and
Transportation, by
adding a new para-
graph 17 to prohibit
parking in areas
behind the curb and
drainage areas

Ordinance No. 23-84

On motion of Councilman Duncan, duly seconded and unanimously passed, Ordinance No. 23-84, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, adding a new paragraph 17 to Chapter 11, to .pa

Meeting No. 20-84

-6-

June 11, 1984

prohibit parking in areas behind the curb and drainage areas was adopted by the Mayor and Council.

Councilwoman Hovsepian noted that this ordinance will enable the City to ticket cars left parked on median strips and other areas. Councilman Duncan also noted this would be used for people who pull up and block sidewalks and other pedestrian paths.

Re: Public Hearing: RTH-5-84, Exploratory Application for a residential townhouse development on the site of the former Maryvale Elementary School

The Mayor and Council conducted a public hearing on exploratory application, RTH-5-84, for development of residential townhouses on the site of the former Maryvale Elementary School, and hear those persons as will be found in the official stenographic transcript of the hearing. There being no other citizen wishing to be heard, the Mayor closed the hearing with the record to be held opened for two weeks.

Re: Adoption of Ordinance:
To Levy Assesements -
Driveway Aprons at
various locations -
Project No. 030112

Ordinance No. 24-84

On motion of Councilman Duncan, duly seconded and unanimously passed, Ordinance No. 24-84, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, levying assessments for driveway aprons at various locations, was adopted by the Mayor and Council.

Meeting No. 20-84

-7-

June 11, 1984

Re: Adoption of
Ordinance: To Levy
Assessments - Water
and Sewer Mains and
Laterals in New Mark
Commons Subdivision -
Project No. 020332
Water and No. 020442
Sewer

Ordinance No. 25-84

On motion of Councilman Tyner, duly seconded and unanimously passed, Ordinance No. 25-84, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, levying assessments for Water and Sewer Mains and Laterals in the New Mark Commons subdivision, was adopted by the Mayor and Council.

Re: Adoption of
Ordinance: To levy
assessments - Water
and Sewer Mains and
Laterals in Flint
Ledge Subdivision -
Project No. 030132
Water and 030142
Sewer

Ordinance No. 26-84

On motion of Councilman Tyner, duly seconded and unanimously passed, Ordinance No. 26-84, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, levying assessments for water and sewer mains and laterals in the Flint Ledge subdivision was adopted by the Mayor and Council.

Re: Adoption of
Ordinance: To levy
assessments for water
and sewer mains and
laterals in the
Orchard Ridge 1-B
subdivision - Project
No. 000932 Water and
000942 Sewer

Ordinance No. 27-84

On motion of Councilman Duncan, duly seconded and unanimously passed,

Meeting No. 20-84

-8-

June 11, 1984

Ordinance No. 27-84, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council levying assessments for water and sewer mains and laterals in the Orchard Ridge 1-B subdivision, was adopted by the Mayor and Council.

Re: Adoption of
Ordinance: To levy
assessments - water
and sewer mains and
laterals in College
Square subdivision
(Plat 13764) Project
No. 021132, 020532,
020632, Water and
021142, 020642, Sewer

Ordinance No. 28-84

On motion of Councilman Tyner, duly seconded and unanimously passed, Ordinance No. 28-84, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council, levying assessment for water and sewer mains and laterals in the College Square subdivision, was adopted by the Mayor and Council.

Re: Adoption of
Ordinance: To
appropriate funds and
levy taxes, FY 85

Ordinance No. 29-84

Councilman Tyner moved, duly seconded and unanimously passed, to amend the introduced ordinance.

Councilman Tyner noted that there are two items not on this list but were mentioned during the work session and he would like to mention them. They are \$5,000 from Targets of Opportunity funds, for a facilitator/mediator and \$10,000 from the Art in Public Places fund for an outside consultant to assist in creating a plan and an implementation strategy for acquiring public art. Councilman Duncan also noted that funding, on a matching fund basis, has been

made available for the lights at Richard Montgomery High School. Councilman Tyner noted the funding for the lighting of the catwalk at the F. Scott Fitzgerald Theatre. Mayor Freeland complimented the City Manager for submitting an outstanding budget. Because of his efforts it makes the Mayor and Council's job easier. He has had fine support also from the staff. The Mayor also mentioned that the City is able to cut its tax rate by a penny.

On motion of Councilman Tyner, duly seconded and unanimously passed, Ordinance No. 29-84, the full text of which can be found in Ordinance Book No. 12 of the Mayor and Council appropriating funds and levying taxes for Fiscal Year 1985, was adopted as amended.

Mayor Freeland then addressed the subject of the disposition of the school sites by Montgomery County. He noted that the North Rockville site was talked about more than the others. He explained that the City would approach the County and ask them to convey the property to the City at no cost to the City since the County acquired it for only \$10. If the County would convey it to the City, the City will assume the responsibility and keep it in its natural state. If the County Executive does not convey the land to the City, the City's second request would to ask the County to hold the property for one year to give the City and citizens a chance to acquire the funds to purchase it and then to keep it in its natural state. The third alternative would be to buy the land on a short-term basis and give the community time to develop resources to buy it. If that is not possible then the City would dispose of the land.

Mayor Freeland said he hopes the County Executive will work with the City on one of these courses of action. He is pleased to say there is good contact and communication between the County and the City government. He asked that a letter to the County Executive be prepared for his signature outlining the proposals. He encouraged the citizens to express their concerns to the County Executive and to keep on top of the developments. Councilwoman Hovseplan said

she is not sure the City made the decision to go as far as acquiring the land. Councilman Tyner said the point to alternative 3 is temporarily. The key is to get it into the City's hands so as to have control over it. It also depends on the initial price. Mayor Freeland said Councilman Tyner expressed this better than he did and that the temporary or short-term feature was a unanimous decision by the City

Mayor Freeland said with regard to the Oakridge/Poor Farm site, it will be express to the County that the City has no interest in acquiring it and a letter will be prepared stating the City's position on this.

Re: Approval of request
for on-site storm
water management
waiver: (a) Montrose
Park - (Congressional
Airport Hanger) and
(b) Orchard Ridge II

(a) Montrose Park

While processing a waiver request for Ronald Cohen on a use permit for a building on part of Lot 4 Block P, Montrose subdivision, staff discovered that Mr. Cohen plans to redevelop three acres of which this proposed building is a part. This was the site of the old Congressional Airport hanger. Adjacent to Mr. Cohen's three acres, Milton Barlow plans to redevelop the Finnegan's Car Wash site as an office building. Contiguous to both of these lots, R. W. Lebling proposes to build a small townhouse office building on a vacant lot.

The soils in this area are not suitable for SWM by infiltration, the preferred method. Also, because there has been an inadequate storm drain outfall through the adjacent 1776 Plaza, two of these subject developments have considered detaining storm water in lower levels of the buildings. This has been discouraged because of health hazards.

Montgomery County has an existing regional SWM facility approximately 1000 feet downstream from the 1776 Plaza which has capacity to manage SWM from this drainage area within the City. This SWM facility is situated on the northern part of the BNAI ISREAL OF WASHINGTON site. It is accessible from Lorre Drive and doubles as an attractive wooded park with meandering streams.

It is anticipated that these private developers will form a consortium to design and construct the needed outfall through the 1776 Plaza. The cost for design, construction and supervision will be borne proportionately by the three developers.

Because the developers of these three areas cannot provide the preferred type of on-site SWM and are seeking waivers of their SWM requirements, and because there is an existing compensating SWM facility nearby (and also because the problem of the undersized storm drain through 1776 Plaza can be resolved), it is recommended that the Mayor and Council waive on-site SWM requirements on these three lots with contributions toward the City's public SWM program as follows:

- (1) Part of Lot 4 Block P, Montrose - R. Cohen - 3 acres (\$36,000);
- (2) Lot 1, Block P, Montrose - M. Barlow - 1.8 acres (\$21,600); and
- (3) Lot 3, Block B, Montrose Park - R.W. Lebling - 1.0 acres (\$12,000).

Further, this recommendation includes a condition that the 1776 Plaza storm drain outfall be bonded prior to issuance of building permits, and be in working order prior to issuance of occupancy permits.

Councilwoman Hovsepien moved, duly seconded, to accept staff's recommendation to waive the on-site SWM requirements and accept a contribution towards the City's SWM program and include staff's recommendation that the 1776 Plaza storm drain outfall be bonded prior to issuance of building permits, and be in working order prior to issuance of occupancy permits.

After discussion by the Council, Mayor Freeland said he would like to move on this item in support of the developers but noted the City is having problems with one of the developers in keeping in line with City codes and ordinances. He is reluctant to go ahead and would like to sit on this for a couple of weeks and wait and see if a working relationship is developed. He said he would call for a vote if the Council has strong feelings to move on; if not, he will ask for removal of the motion. Councilwoman Hovsepian, the mover of the motion withdrew her motion and Councilman Duncan, the seconder of the motion, withdrew his second.

On motion of Councilman Abrams, duly seconded and unanimously passed, the Council agreed to table this item until the next meeting.

(b) Orchard Ridge II

This 58.8 acre single family development site is situated on the old "Fruit Farm" at the southwest corner of the intersection of I-270 and Falls Road.

The applicant is seeking alternatives to losing at least eight buildable lots and constructing four on-site SWM structures, which would need to be publicly owned and maintained. On-site SWM for this type of single family development is difficult to provide and maintain on individual lots, can be very costly (up to \$1500 per lot), and will not be reliable. The area involved in this subdivision drains to four different outfalls.

Outfall 1. A 6.8 acre area of the site is in the Watts Branch drainage area and drains to and through an existing storm drain system in the Fallsmead subdivision, through the existing Brookcrest Court SWM facility, and then on to the site of the proposed Rockmead SWM facility some 1,000 feet downstream. The Rockmead facility is scheduled for design in FY 85 and for construction in FY 86.

Outfall 2. The 13.15 acre area in the Cabin John drainage area drains under Ritchie Parkway through an enclosed storm drain system to the Potomac Woods Park, then some 1500 feet through the park to the site of the proposed

Bogley Branch SWM facility. Some key points along this branch will be stabilized to better accommodate the additional flow. The Bogley Branch facility is scheduled for design in FY 85 and for construction in FY 86.

Outfall 3. A 5.75 acre area in the Cabin John drainage area drains under Ritchie Parkway through an existing enclosed storm drain system to the existing Locks Pond Court SWM facility, visible from Seven Locks Road. This 5.75 acre segment constitutes 14% of the area tributary to the Locks Pond Court facility.

Outfall 4. The remaining 33.1 acre area (20.9 and 12.2 acres) is in the Cabin John drainage area and drains under Seven Locks Road, and through the Montgomery County Detention Center site to a natural sump area that can accommodate a regional SWM facility. Over the years, Montgomery County has expressed a willingness to cooperate in the placement and construction of such a facility as this could help serve their needs for SWM. The County has asked that this be done as a City project. This 33.1 acre segment of the development constitutes 55% of the area tributary to this SWM facility.

Since the applicant is seeking an off-site location to provide SWM for the largest segment of his site, a segment that does not have a compensating SWM facility, and since the applicant is willing to design such a regional SWM structure, as well as make contributions to the City's public off-site SWM program, it is recommended that the City grant the requested waiver, authorize the applicant to proceed with design of the Montgomery County Detention Center regional SWM facility, and accept a contribution toward the public off-site SWM program of \$118,000 (58.8 acres at \$2,017 per acre), subject to concurrence by the Montgomery Soil Conservation District.

To encourage prompt design of the regional SWM facility, staff recommends that no building permits be issued in the area draining toward this facility until the design is complete and approved by the County, the State Highway

Administration, the Montgomery Soil Conservation District and the City of Rockville. Upon completion of design, the City will proceed with construction of the facility. Because of the unique location of this facility (behind the detention center), it is anticipated that Montgomery County will do the minor maintenance (debris removal, etc.) and the City would perform major maintenance (structural repairs and/or replacement, etc.).

On motion of Councilman Duncan, duly seconded and unanimously passed, the Mayor and Council approved the staff's recommendations to grant the requested waiver and that no building permits be issued until design is completed.

Re: Award of Contract:
Bid No. 60-84, Water
Plant Chemicals

The Water Treatment Plant uses five primary chemicals to provide potable and palatable finished water: (1) Aluminum Sulfate is used to form a precipitate, which combines with minute solids in the water to settle them out in the clarification tanks; (2) Hydrated Lime is used to keep rust and corrosion of pipes to a minimum; (3) Liquid Chlorine is used for disinfection; (4) Hydrofluosillicic Acid is used to strengthen tooth and bone structure of consumers; and (5) Activated Carbon is used to remove taste and odor from the water.

The City currently has enough Activate Carbon in storage to meet its needs for Fiscal Year 1985.

The contract officer sent out fourteen invitations for bid and received the following bids:

<u>Aluminum Sulfate</u>	<u>Ton Price</u>	<u>Annual Estimate Quantity</u>	<u>Cost</u>
Essex Industrial Chemicals Clifton, New Jersey	\$120.89	210 ton	\$25,386.90
Textile Chemical Baltimore, Maryland	\$130.60	210 ton	\$27,426.00

Meeting No. 20-84

-15-

June 11, 1984

Robinson Chemicals Cambridge, Maryland	\$165.00	210 ton	\$34,650.00
---	----------	---------	-------------

BUDGET ESTIMATE	\$130.89	210 ton	\$27,487.00
-----------------	----------	---------	-------------

<u>Hydrated Lime</u>	<u>Ton Price</u>	<u>Annual Estimate Quantity</u>	<u>Cost</u>
Manley-Regan Chemical Co. Middletown, Pennsylvania	\$67.94	130 ton	\$8,832.20

Robinson Chemicals Cambridge, Maryland	\$96.00	130 ton	\$12,480.00
BUDGET ESTIMATE	\$67.29	130 ton	\$8,748.00

<u>Liquid Chlorine</u>	<u>Ton Price</u>	<u>Annual Estimate Quantity</u>	<u>Cost</u>
Manley-Regan Chemical Co. Middletown, Pennsylvania	\$338.40	32 ton	\$9,192.00
Cylinder Deposit	No Deposit		No Deposit
BUDGET ESTIMATE	\$229.80	32 ton	\$7,354.00

<u>Hydrofluosilicic Acid</u>	<u>Ton Price</u>	<u>Annual Estimate Quantity</u>	<u>Cost</u>
Delivered by drums Manley-Regan Chemical Co. Middletown, Pennsylvania	\$158.40	15 ton	\$2,376.00
Delivered in bulk Manley-Regan Chemical Co., Middletown, Pennsylvania	\$94.60	14 ton	\$1,234.40
Deposit on Drums Manley-Regan Chemical Co. Middletown, Pennsylvania	\$45.00	15 each	\$675.00

TOTAL			\$4,375.40
-------	--	--	------------

BUDGET ESTIMATE (Delivery in Drums)	\$160.00	29 ton	\$4,640.00
--	----------	--------	------------

Upon investigation of the possibility of the City piggybacking on the WSSC chemical contracts, the following information was obtained.

WSSC does not use Aluminum Sulfate or Lime in the form required by the City. WSSC received the same low bid for Liquid Chlorine of \$338.40/ton. WSSC

did obtain a much better bid for Hydrofluosilicic Acid in the amount of \$69.88 ton from Delta Chemicals. However, this bid was based on a "bulk" delivery. The City required delivery in drum at this point in time. Upon purchase and installation of a tank, the City will be able to use "bulk" delivery. Purchase and delivery of the tank is expected prior to the end of fiscal year 1985. When purchase and delivery of the new tank is confirmed, it will be possible to terminate for convenience and to purchase the chemicals against the WSSC contract.

The Contract Officer confirmed that Manley-Regan's bid of \$338.40/ton for Liquid Chlorine is fair and reasonable and it should be noted that two bids should have been received on this chemical, but Delta Chemical arrived at the bid opening late.

Three bids were received for Hydrofluosilicic Acid but Textile Chemicals and Robinson Chemicals was determined to be non-responsive and rejected because the terms of the Invitation to bid stated that companies were required to bid on the basis of BOTH drum delivery and bulk delivery and that award would be made based on the TOTAL price for BOTH forms of delivery. It should be noted that Textile and Robinson entered "No Bid" for bulk delivery.

Manley-Regan has previously performed satisfactorily for the City. Essex Chemicals has been confirmed by the Water Treatment Plant Supervisor as being well-established in the field.

Staff recommends that the Mayor and Council award the purchase of chemicals to the low bidder as follows:

Aluminum Sulfate - Essex Industrial Chemicals at \$120.89 per ton

Hydrated Lime - Manley-Regan Chemical Co. at \$67.94 per ton

Liquid Chlorine - Manley-Regan Chemical Co. at \$338.40 per ton

Hydrofluosilicic - Manley-Regan Chemical Co. at \$158.40/ton drum delivery
and \$94.60/ton bulk delivery

Meeting No. 20-84

-17-

June 11, 1984

Since this is a requirements contract, funds will be expended only as chemicals are delivered.

On motion of Councilman Duncan, duly seconded and unanimously passed, Bid No. 60-84 for Water Plant Chemicals was awarded as recommended by staff.

Re: Award of Contract:
Bid No. 65-84,
Janitorial Services -
City Hall

The subject Invitation for bid was issued on May 17, 1984, for the purpose of obtaining Janitorial Services for Rockville City Hall.

Bids were opened at 3:00 p.m. on June 1, 1984, in the Mayor and Council Chamber. The following bids were received:

<u>Company</u>	<u>Base Year</u>	<u>Option Year</u>
Macke Building Services, Washington, DC	\$21,408.00	\$22,260.00
Carefree Cleaning Services, Gaithersburg, MD	\$21,900.00	\$23,100.00
Prudential Maintenance Services, Rockville, MD	\$25,800.00	\$23,100.00
Maintenance Service Co., Takoma Park, MD	\$27,000.00	\$28,800.00
Stevens and Son, Inc., Rockville, MD	\$28,860.00	\$28,860.00
Abacus Corporation, Baltimore, MD	\$31,728.00	\$34,896.00
BUDGET ESTIMATE	\$24,500.00	

The Invitation for Bid contained a provision of an "Option to Extend" which allows the City at its sole discretion to extend the term of the contract for an additional one (1) year period by notice to the Contractor not less than thirty days prior to the end of the initial term. The Option Price is a Firm Fixed Price. Macke Building Services has been performing satisfactorily for the City for the past two years.

Based on the above referenced information, staff recommends that award be made to Macke Building Services for Janitorial Services for City Hall for the Base Period July 1, 1984 - June 30, 1985 in the amount of \$21,408.00 with an option to extend for the period July 1, 1985 - June 30, 1986 in the amount of \$22,260.00.

On motion of Councilman Duncan, duly seconded and unanimously passed, Bid No. 65-84 for Janitorial Services - City Hall, was awarded to the low bidder, Macke Building Services, Inc., as recommended by staff.

Re: Application to
designate the Mayor
and Council as a
Certified Local
Government for
Historic Preservation
activities

The Historic District Commission has requested that the Mayor and Council approve and submit the application before them in order to receive local government certification and eligibility for funding assistance pursuant to the National Historical Preservation Act of 1980 as amended. Last year the Mayor and Council approved a City application to accomplish this objective; however the Federal Department of Interior had not promulgated regulations covering such applications. On May 13, 1984, the regulations were promulgated and the State Historic Preservation Officer requested that the City resubmit the application and supporting information.

By being certified, the City would become eligible to receive direct pass-through grant funds to conduct historic preservation planning, historic building surveys, and education programs. In addition, the City would become directly involved and responsible for the approval of nomination of properties for National Register status.

Staff recommends approval of the application for Certified Local Government.

On motion of Councilman Duncan, duly seconded and unanimously passed, the Mayor and Council approved the application.

Re: Recommendations of
the reuse of
Congressional
Elementary School

The City is currently participating in County processes for leasing and/or disposing of vacant land and empty schools. The process for dealing with a vacant school differs from the vacant land process in that the County Council is involved. There is no legislation requiring County Council approval in the disposition process for vacant land.

The Executive staff then analyzes the uses of the property and submits its recommendation to the Executive who in turn submits it to the County Council. The County Council approves or rejects each of the uses on the Executive's list. The County Executive then prioritizes the approved uses and instructs the staff to commence negotiations with those prospective tenants with the highest priorities.

On May 16, 1984, the Planning Commission conducted a public hearing regarding the reuse of the vacant Congressional Elementary School. The objective of the Planning Commission is not to recommend a particular user for this facility, but rather develop a list of acceptable uses for the property consistent with neighborhood preservation objectives, the Master Plan and the zoning ordinance of the City.

Before the Mayor and Council is a letter for the Mayor signature to the County Executive asking that the following six criterion be used during negotiations with the final selected users.

1. Traffic entering and leaving the property should be from East Jefferson Street. Access to the property from Lorraine Drive should not be permitted.
2. The density of development of the property should be consistent with the base R-75 zoning and parking should be designed in anticipation of peak parking demands.
3. A buffer zone of greenery between the existing residential neighborhood and the property should be provided.

4. The ultimate use of the property should be for the benefit of the residential community.
5. The recommended user should have the financial capacity to maintain the property in good condition.
6. Efforts should be made to prevent the property from being subdivided among several owners.

Councilman Tyner asked if the Council is to approve the list of users and prioritize them. Mr. Davis said the staff is asking for approval of the draft letter to Mr. Gilchrist. The County has asked the City to suggest uses, not make a decision on the selection of uses. Councilman Tyner asked if the staff thinks the County will eventually come back to the City for a decision. Mr. Blick explained that the County Executive needs to know which uses are acceptable and which are not. He will then pass on to the County Council his recommendation. He added that once a lease or sale is negotiated, the appropriate use permit, special exception, etc., would go into light.

Councilman Tyner said he has no problem with the categories but would like it made clear that whatever user is selected, criteria No. 6 should be met. Mr. Davis said the County is only leasing the facility, not selling it and that they may lease it to more than one user. Councilman Tyner asked if the County can entertain any other uses. Councilman Duncan noted that the record is closed. Councilman Tyner said that the County is then bound to choose from one of the 17 users. Mr. Horne, Director of CDHA said yes. Mayor Freeland said regardless of who gets the lease, the City's position is for a use to meet the six criterion identified by staff.

It was the consensus of the Council to approve the letter as proposed by staff.

Re: Approval of Proposed
City Testimony on FY
85 County Cable Plan

The Mayor and Council has before them a copy of the proposed City testimony

Meeting No. 20-84

-21-

June 11, 1984

on the County's FY 85 Cable Plan. The testimony makes the following basic points:

1. The Rockville Mayor and Council have adopted a municipal cable plan
2. The County Executive's Plan for FY 85 is supportive of Rockville's Cable interest.
3. The County Executive and County Council must work closer together on cable.
4. Serious attention should be given to the Community Access Task Force Report.

Councilman Tyner asked if the City's testimony is on the City's Channel or the joint channel with other municipalities or on all channels. He asked that this be made clear. Mr. Blick asked who from the Council would be giving the testimony. Mayor Freeland said he would.

The Mayor and Council approved the testimony but made minor technical changes.

Re: New Business

1. Councilwoman Hovsepian asked that the City Clerk devise a standard response for stating absences by the Mayor and Council from Council meetings. She said that to her "Vacation" means on a personal vacation and "Travel Leave" means leave for business travel.

Re: Approval of Minutes

On motion of Councilman Abrams, duly seconded and unanimously passed, the Minutes of Meeting No. 14-84, May 17, 1984, were approved as amended.

On motion of Councilman Abrams, duly seconded and unanimously passed, the Minutes of Meeting No. 15-84, May 29, 1984, were approved as amended.

Re: Executive Session

There being no further business to come before the Mayor and Council in general session, the meeting was closed for executive session in order to consult with Counsel.

Meeting No. 20-84

-22-

June 11, 1984

Re: Adjournment

There being no further business to come before the Mayor and Council in executive session, the meeting was adjourned at 10:00 p.m. to convene again in general session on Monday, June 25, 1984, at 8:00 p.m. or at the call of the Mayor.